

Planning and Zoning Commission Meeting Minutes
January 25, 2016

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, January 25, 2016, at the City of Yuma Public Works Training Room, 155 W. 14th Street, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present included Chairman Chris Hamel and Commissioners Lukas Abplanalp, Kim Hamersley, David Koopmann, Alan Pruitt, Richard Sorenson, and Clinton Underhill.

STAFF MEMBERS present included Laurie Lineberry, Director of Community Development; Andrew McGarvie, Assistant City Engineer; Rodney Short, Assistant City Attorney; Jennifer Albers, Principal Planner; Robert Blevins, Principal Planner; and Stephanie Guzman, Administrative Assistant.

Chairman Hamel called the meeting to order at 4:30 p.m. and noted there was a quorum present.

ELECTION OF OFFICERS

Hamel called for nominations for Chairman.

Commissioner Koopmann nominated Hamel.

MOTION

Motion by Koopmann, second by Underhill to elect Chris Hamel as Chairman. Motion carried unanimously (7-0).

Hamel called for nominations for Vice-Chairman.

Commissioner Sorenson nominated Underhill.

MOTION

Motion by Sorenson, second by Koopmann to elect Clinton Underhill as Vice-Chairman. Motion carried (6-1). With Underhill voting nay.

CONSENT CALENDAR MINUTES

January 11, 2016

WITHDRAWALS BY APPLICANT

None

CONTINUANCES

None

APPROVALS

None

MOTION

Motion by Sorenson, second by Pruitt, to APPROVE the Consent Calendar, as presented. Motion carried unanimously (7-0).

PUBLIC HEARINGS

GP-10924-2015: *This is a General Plan Amendment by the City of Yuma to amend the City of Yuma 2012 General Plan to incorporate the City of Yuma Transportation Master Plan. Specifically, Chapter 3 – Transportation Element, is being modified to incorporate the recommended roadway policies and network, reflect changes in the truck, hazardous cargo and gateway routes and show modifications to the bicycle network. Additionally, Chapter 11 – Growth Area Element has been modified to correct the roadway designations. (This is the second of two public hearings.)*

Jennifer Albers, Principal Planner, summarized the staff report, recommending **APPROVAL**.

QUESTIONS FOR STAFF

Hamel thanked staff for their hard work and additional information in the report.

Commissioner Underhill asked staff if there was anything the City did to identify potential future bike paths. **Albers** said the City adopted the first bicycle plan in 1995, which allowed standards for construction of bicycle facilities. **Underhill** agreed with the Transportation Element being modified to incorporate all forms of transportation, such as bicycles. **Albers** said the City has a Capital Improvement Program (CIP), which includes a five-year schedule of improvements that is annually adopted by City Council. **Underhill** asked if there have been any projects that have been designed, but have limited funding that could be revised to incorporate all types of transportation. **Albers** said the improvements along 16th Street and 4th Avenue will include bike lanes.

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

Hamel stated that there was a five-minute time limit per speaker.

Mike Miller, 5359 E. Hamlin Place, Yuma, Arizona, said he supported the revisions to the City's Transportation Master Plan, such as the continuation along 16th Street with a connection to the mall. He said he was concerned with the safety of people that use bicycles as a form of transportation, and understood that funds were very limited.

Underhill asked if the City did anything to involve the bicycle community to voice their comments regarding the development of future bike paths. **Albers** said that when the City adopted the Transportation Master Plan they had several meetings, which were attended by people in the bicycle community. She said many of those comments led to the development of a new bike path and the extension of the bike path along 40th Street. **Underhill** said the meetings were very time limited, and asked if the City further discussed the suggestions with the public. **Albers** said that public hearings are held for the public to voice their comments. She also said the other process was through the Capital Improvement Program, and deferred to Engineering for their involvement with the community. **Andrew McGarvie, Assistant City Engineer**, said he was not sure how Public Works involves the community and was not able to answer the question. **Underhill** said he felt that the City needed to further involve the community to implement needed changes to the bicycle infrastructure. **Commissioner Hamersley** agreed with Underhill's comments and felt that something needs to be done now to ensure that all future road projects address the needs of bicycle transportation. **Hamel** said he

felt the City needed to include the community during the construction phase of projects and not just during the public hearings.

Commissioner Sorenson thanked the public for writing letters to staff, which included identifying how dangerous 32nd Street may be to cross on a bicycle without a traffic light.

Koopmann said that all major road projects presented to the Commission included the needs of the bike paths.

Marty Hoganson, Yuma, Arizona, was in support of the proposed changes to the City's Transportation Master Plan. He stated that the changes being requested were important, but not all problems were being addressed to meet the needs of the bicycle community, and mentioned the danger of riding down 32nd Street without a bike shoulder.

Sorenson asked if a lane measuring five feet would be reasonable for a bicyclist. **Hoganson** said yes - even a three foot lane would make it safer to get around. **Sorenson** asked for clarification on the bike shoulder. **Hoganson** said a three foot shoulder was needed to safely ride a bike on a street.

Koopmann asked about Yuma County's response. **Hoganson** said that they are in the process of creating a Transportation Plan, which includes bikes as a form of transportation. **Koopmann** asked if they had anything finalized. **Hoganson** said no.

Jeff Brand, 10447 S. Cyclone Avenue, Yuma, Arizona, said although the revisions impacted the bicycle community, there are two items that need improvement, which include adding a traffic light on 32nd Street. He felt that 32nd Street needed to meet both wheelchair and pedestrian cross path. He was concerned with the safety of pedestrians.

AJ Buchtel, 2691 S. Gardenia Avenue, Yuma, Arizona, stated that there was a need for bicycle facilities in the Yuma area. He was concerned with the safety of others.

Greg Ford, 10236 E. 30th Lane, Yuma, Arizona, stated that is a member of the Yuma Region Bicycle Coalition and was in support of the changes to the City's Transportation Master Plan.

Eugene Dalbey, 1183 W. 37th Street, Yuma, Arizona, stated that improving the City's bicycle infrastructure would have a positive impact and improve the quality of life in the Yuma area. He said that for all future road projects bicycle transportation should be addressed to meet the needs of the community.

Hamel suggested that he also voice his comments to the City Council on issues including the need for a bike shoulder and traffic light on 32nd Street.

Koopmann stated that due to the design of the roads and city, there was limited right-of-way to use in order to widen roadways to include bike lanes, and felt the City had very limited resources to make any additions to the bicycle infrastructure.

Underhill stated that major roadway projects take time to fully incorporate every aspect of transportation. He felt that it was very important that the community keep identifying the needs in the bicycle infrastructure.

Commissioner Pruitt thanked the public for the comments presented to the commission, and stated that writing letters was a big component to implement change in the Yuma area.

Koopmann suggested that the public voice their comments to the City Council regarding the Capital Improvement Program to assure future developments are not overlooked.

Hamel asked when the CIP would be presented to the City Council. **Albers** said the CIP is reviewed and approved by the City Council annually in June.

MOTION

Motion by Underhill, second by Pruitt, to APPROVE Case Number GP-10924-2015. Motion carried unanimously (7-0).

SUBD-12260-2015: *This is a request by Dahl, Robins and Associates, Inc. on behalf of Fortuna de Oro, LLC, for approval of the preliminary and final plat for the Gomez Plaza Subdivision. This commercial subdivision will contain 13.89 acres and is proposed to create six lots. The property is located near the southeast corner of 16th Street and Sunridge Drive, Yuma, AZ.*

Robert Blevins, Principal Planner, summarized the staff report, recommending **APPROVAL.**

QUESTIONS FOR STAFF

Hamel asked if the plans for internal access to the building were originally designed for vehicles. **Blevins** said yes, the new plans show a cross-pedestrian access. **Rodney Short, Assistant City Attorney,** said that Condition 6 was previously agreed upon in the Development Agreement. **Hamel** asked if the Development Agreement had been finalized. **Short** said yes that both the applicant and the property owner to the east would need to reach an agreement as to the exact location. **Hamel** asked if there was a wall along the northeast corner of lot 2. **Blevins** said yes. **Hamel** asked for clarification of the location for the proposed cross-pedestrian access. **Blevins** said it would be located behind the trash container. **Short** said due to the elevation of the retaining wall, both the applicant and property owner would have to come to an agreement prior to construction of the improvements.

Hamel asked if the issue of the proposed street naming had been addressed. **Blevins** said the name "Victoria Anne Court" would be changed to "Gomez Court" and "Jesse's Way" would be changed to "Jesse Way", so that emergency responders would not get confused with street names.

Underhill asked if the property owner to the east would not comply with adding a cross-pedestrian access, would the City force them to comply. **Short** stated the City is requesting to make it a condition in the Development Agreements for the final plat. **Underhill** asked if the original Development Agreement was detailed enough for the City's needs. **Short** said that the applicant stated it would be a redundant condition because the owner agreed to negotiate with the property owner to the east.

APPLICANT / APPLICANT'S REPRESENTATIVE

Christopher Robins, 1560 S. 5th Avenue, Yuma, Arizona, said he did not agree with Condition 6. **Hamel** asked why Condition 6 was contentious. **Robins** said that the plans originally showed a vehicle cross path. The City approved the new construction of the trash

enclosure near Chick-fil-A, which eliminated the possibility of making a vehicular connection to both lots. He stated that this was the first time he had ever heard the City requiring the property owner to negotiate with another property owner as a condition of the Development Agreement. The owner is considering a cross-pedestrian access to connect to the lots, but did not want to be forced to comply as a requirement of the Development Agreement.

Underhill asked why the property owner was being forced to comply with the Development Agreement if the neighboring property owner refused. **Hamel** stated that the applicant could build a cross-path up to their property line, but the neighboring owner would have to agree or no construction could be started. **Lineberry** stated that the wall along the east was a retaining wall, and could possibly include a stairwell for the future access.

Lineberry gave development timing histories of both properties: Chick-fil-A's trash enclosure and the grading of the Gomez property. The site required some type of cross-pedestrian access, otherwise it would be poor planning. **Underhill** understood that making a cross-pedestrian access would benefit the public, but felt both property owners needed to agree to the stairway in order for it to be built.

Short stated that there was not much that could be done if the adjacent property owner was not compliant with their Development Agreement. He stated that the condition would be relevant in the future if the property owner did not want to negotiate.

Hamel felt that staff needed additional time to find a resolution that both the applicant and the property owner to the east could agree. He agreed with **Underhill's** comments and asked if that making Condition 6 a requirement of the plat would only require the applicant to comply, and not the property owner to the east. **Short** said yes. **Lineberry** stated that the City could discuss the possibility of relocating the trash enclosure. **Koopmann** asked if there was anything on the Chick-fil-A site that would obstruct a stairwell access to the subject property that would be functional. **Robins** stated that the discussion would need to be with the hotel to the east of the property and not Chick-fil-A. He asked that Condition 6 not be required for the plat, and allow for negotiation between the hotel property owner and the applicant. **Sorenson** asked for clarification on the proposed access location. **Blevins** said within 100 linear feet of the northeast corner of lot 2.

Sorenson asked what was reasonable for the plat. **Robins** said to eliminate Condition 6 completely to allow negotiation between the applicant and adjacent property owner. He stated that a possible location near the hotel would allow a 5 foot cross-pedestrian access. He stated that irrigation control would need to be taken out along with removing some curb way possibly building a ramp. **Sorenson** asked for clarification on what the City was requesting. **Lineberry** said the City was requesting a cross-pedestrian access between lots. Her concern was that if the final plat gets approved there will be nothing to stop development without construction of the cross-pedestrian access. **Sorenson** asked what the City wanted for the plat. **Lineberry** said for Condition 6 to stay as a condition. **Hamel** asked if it was possible to allow time for both the applicant and property owner to negotiate the pedestrian access. **Lineberry** said yes. **Koopmann** asked if negotiation was happening between the applicant and adjacent property owner. **Robins** said yes.

Underhill felt that the cross-path was being forced upon both the applicant and adjacent property owner. He said he understood why the cross-path was needed and asked why the

condition was not agreed upon sooner. **Koopmann** agreed with **Underhill's** comments and felt that the condition should have been resolved before today meeting.

Underhill asked the date of the City Council that would be hearing the case. **Lineberry** said February 17, 2016. **Underhill** felt that allowing time for a potential resolution would be the way to go. **Hamel** asked if the City would agree to modify Condition 6 in the plat conditions. **Lineberry** said no. **Underhill** asked if there was a specific date the case could be continued to. **Lineberry** said if staff is notified 2 weeks prior to the meeting, the case can be heard at the following hearing.

PUBLIC COMMENTS

None

MOTION

Motion by **Koopmann**, second by **Hamel**, to **CONTINUE Case Number SUBD-12260-2015 to a date uncertain. Motion carried (6-1). With Underhill voting nay.**

INFORMATION ITEMS

Staff

Lineberry asked if the Commission would be interested in potentially using ipads as a form of electronic packets. She said if the commission was interested the City would provide the ipad that would be Wi-Fi accessible. **Underhill** asked if the ipad would be considered City property. **Lineberry** said yes. **Lineberry** said that staff would email a link, which would contain the electronic packet. **Hamel** asked if an additional link would be provided for any late input on a case, such as the one heard today. **Lineberry** said yes.

Commission

None

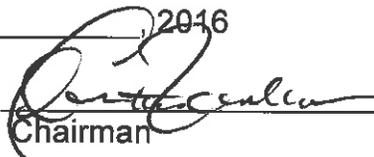
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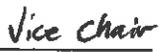
None

ADJOURNMENT

The meeting was adjourned at 6:08 p.m.

Minutes approved this 8th day of February, 2016


Chairman


Vice Chair